

OFF TRACK BETTING INFORMATION SHEET

Please read the City of Mesa Off Track Betting City Code prior to submitting your application. A copy of the code is available on the City of Mesa website at <http://www.mesaaz.gov/city-hall/city-clerk>

- Applications are provided by the City of Mesa Licensing Office.
- Licensing Office hours are Monday through Thursday 7:00 am until 6:00 pm, closed on holidays.
- A complete application packet must be submitted to the Licensing Office and include the following information/documents to begin the application approval process (Mesa City Code 5-2-6):
 - \$500.00 application fee, payable to "City of Mesa".
 - A completed City of Mesa Off Track Betting Application.
 - Supplemental questionnaire(s) on all person(s) participating in the management, control or policy direction of the applicant, and/or corporate officers, directors, and stockholders with 20% or more stock ownership. The supplemental questionnaire is provided with the off track betting application.
 - Copy of Arizona Racing Commission Pari-Mutuel Racing Permit
 - Floor plan of the proposed location – including precise location of all OTB activities.
 - Copy of the Plan of Operation submitted to the AZ Racing Commission, in accordance with the specifications of Arizona Administrative Code Section R19-2-404.
http://www.azsos.gov/public_services/Title_19/19-02.pdf
 - Photocopy of government issued photo identification for all applicants.
 - Individual applicant: proof of authorized presence in the United States, pursuant to Arizona Revised Statutes Section 41-1080.
<http://www.azleg.state.az.us/FormatDocument.asp?inDoc=/ars/41/01080.htm&Title=41&DocType=ARS>
- Application must be made at least 75 calendar days prior to the business start date.
 - Administrative completeness of the application is up to 14 calendar days. Once an application is determined to be administratively complete, the Substantive Review timeframe will begin.
 - The Substantive Review is up to 60 calendar days during which time the City will perform a substantive review of an application. (The Substantive Review may take up to 75 days from June 15 through September 1.)
 - The overall timeframe in which the City will review the application for Administrative and Substantive completeness is 74 calendar days. (The overall timeframe in which the City will review the application for Administrative and Substantive completeness from June 15 through September 1 is up to 89 days.)
 - Once the Substantive Review Timeframe is complete, the application will be approved/denied.
- Prior to issuance of a license, the application will be routed to various City of Mesa departments for their recommendations.
- Questions or assistance regarding the licensing process can be directed to Kelly, or any staff member, at the City of Mesa Licensing Office, 480-644-2316, option #4.
- Upon approval/denial of an application, a letter will be mailed to the applicant's mailing address regarding the outcome.
- A licensing fee of \$500.00 is required prior to the issuance of the license. The license will be issued for one year.
- There is a yearly renewal fee of \$500.00. The fee and renewal form must be submitted no later than 45 calendar days prior to the expiration date of your license. Failure to start the renewal process could result in the license becoming null & void at expiration. (Mesa City Code 5-2-14)
- You have the right to receive clarification from the City of Mesa of its interpretation or application of a statute, ordinance, code or authorized substantive policy statement as provided in SB 1598, section 9-839. To do so please send your request to licensing.info@mesaaz.gov

ALL FEES ARE NON-REFUNDABLE

Physical Location:
55 N. Center St.
Mesa, AZ

Mailing Address:
P.O. Box 1466
Mesa, AZ 85211-1466
(480) 644-2316 TEL (480) 644-3999 FAX
Website: www.mesaaz.gov/business/licensing

NOTICE TO SOLE PROPRIETOR, INDIVIDUAL AND/OR HUSBAND & WIFE BUSINESSES

All persons applying for municipal licensing as Individuals, Sole Proprietors, or Husband & Wife businesses, must provide evidence of their legal right to be in the United States in compliance with A.R.S. 41-1080, also known as the "Legal Arizona Workers Act."

If applying by mail, applicants must submit the eligibility form with the application. Please indicate, by checking the appropriate box, which of the 12 forms of documentation will be provided to verify legal status under federal law. Return the completed eligibility form along with the application, applicable fees and a copy of the documentation showing your legal status.

If applying in person at the Licensing Office, applicants must show one of the 12 types of documentation listed on the eligibility form with the application and applicable fees. The eligibility form will be completed upon presentation of the documentation.

Per State law, the City of Mesa Licensing Office cannot issue a license unless it first receives a copy of one of the specified forms of identification and a signed eligibility form.

*****NOTE: A Government issued photo ID must be presented with any document that does not contain a photograph of the individual.**



LICENSING ELIGIBILITY

Before issuing a license to an individual, the individual must present one of the following documents to the municipality indicating that the individual's presence in the United States is authorized under federal law:

Check the box next to the document indicating lawful presence.

*****NOTE: A Government issued photo ID must be presented with any document that does not contain a photograph of the individual.**

	An Arizona driver license issued after 1996 or an Arizona non-operating identification license.
	A driver license issued by a state that verifies lawful presence in the United States. (See Overview of States' Driver's License Requirements) NOT accepted: HI, NM, UT, WA Note: a WA "Enhanced" Driver License is acceptable
	A birth certificate or delayed birth certificate issued in any state, territory or possession of the United States.
	A United States certificate of birth abroad.
	A United States passport or passport card.
	A foreign passport with a United States visa.
	An I-94 form with a photograph.
	A United States citizenship and immigration services employment authorization document or refugee travel document.
	A United States certificate of naturalization.
	A United States certificate of citizenship.
	A tribal certificate of Indian blood.
	A tribal or bureau of Indian affairs affidavit of birth.

This provision does not apply to an individual, if EITHER:

1. BOTH of the following apply:
 - a. The individual is a citizen of a foreign country or, if at the time of application, the individual resides in a foreign country.
 - b. The benefits that are related to the license do not require the individual to be present in the United States in order to receive those benefits.
- OR
2. ALL of the following apply:
 - a. The individual is a resident of another state.
 - b. The individual holds an equivalent license in that other state and the equivalent license is of the same type being sought in this state.
 - c. The individual seeks the Arizona license to comply with this state's licensing laws and not to establish residency in this state.

Signature of applicant

Date

Signature of municipal employee

Date

Licensing and Application Requirements House Bill 2212

The City wishes to notify all applicants of certain rights the applicant has related to the issuance of a license. The City shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule, ordinance or code. A general grant of authority does not constitute a basis for imposing a licensing requirement or condition unless the authority specifically authorizes the requirement or condition. Unless specifically authorized, the City shall avoid duplication of other laws that do not enhance regulatory clarity and shall avoid dual permitting to the maximum extent practicable, however this does not prohibit municipal flexibility to issue licenses or adopt ordinances or codes. The City shall not request or initiate discussions with a person about waiving that person's rights provided to them under Arizona Revised Statutes Title 9, Chapter 7, Article 4. The requirements of A.R.S. § 9-843 may be enforced in a private civil action and relief may be awarded against the City and the court may award reasonable attorney fees, damages and all fees associated with the license application to a party that prevails in such an action against a municipality. A City employee may not intentionally or knowingly violate A.R.S. § 9-843 and a violation of the statute is cause for disciplinary action or dismissal pursuant to City policy. The requirements of A.R.S. § 9-834 do not abrogate the immunity provided to the City or its employees by A.R.S. § 12-820.01 or § 12-820.02.

A.R.S. § 9-834. PROHIBITED ACTS BY MUNICIPALITIES AND EMPLOYEES; ENFORCEMENT; NOTICE

- A. A MUNICIPALITY SHALL NOT BASE A LICENSING DECISION IN WHOLE OR IN PART ON A LICENSING REQUIREMENT OR CONDITION THAT IS NOT SPECIFICALLY AUTHORIZED BY STATUTE, RULE, ORDINANCE OR CODE. A GENERAL GRANT OF AUTHORITY DOES NOT CONSTITUTE A BASIS FOR IMPOSING A LICENSING REQUIREMENT OR CONDITION UNLESS THE AUTHORITY SPECIFICALLY AUTHORIZES THE REQUIREMENT OR CONDITION.
- B. UNLESS SPECIFICALLY AUTHORIZED, A MUNICIPALITY SHALL AVOID DUPLICATION OF OTHER LAWS THAT DO NOT ENHANCE REGULATORY CLARITY AND SHALL AVOID DUAL PERMITTING TO THE MAXIMUM EXTENT PRACTICABLE.
- C. THIS SECTION DOES NOT PROHIBIT MUNICIPAL FLEXIBILITY TO ISSUE LICENSES OR ADOPT ORDINANCES OR CODES.
- D. A MUNICIPALITY SHALL NOT REQUEST OR INITIATE DISCUSSIONS WITH A PERSON ABOUT WAIVING THAT PERSON'S RIGHTS.
- E. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST A MUNICIPALITY. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST A MUNICIPALITY FOR A VIOLATION OF THIS SECTION.
- F. A MUNICIPAL EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE MUNICIPALITY'S ADOPTED PERSONNEL POLICY.
- G. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.
- H. A MUNICIPALITY SHALL PROMINENTLY PRINT THE PROVISIONS OF SUBSECTIONS A, B, C, D, E, F AND G OF THIS SECTION ON ALL LICENSE APPLICATIONS.
- I. THE LICENSING APPLICATION MAY BE IN EITHER PRINT OR ELECTRONIC FORMAT.



APPLICATION FOR OFF TRACK BETTING LICENSE

NON-REFUNDABLE \$500.00 DUE AT TIME OF APPLICATION - CODE 0570

ACCURACY IS IMPORTANT -- CHECK ALL ANSWERS FOR ACCURACY. FALSE OR INCOMPLETE ANSWERS OR OMISSIONS MAY RESULT IN NON-ACCEPTANCE, DENIAL OR SUBSEQUENT REVOCATION OF A LICENSE.

SECTION I. APPLICANT INFORMATION			
Legal Name			
Physical Address			
City, State, Zip			Business Phone Number
Email Address			Fax Number
Type of Ownership	<input type="checkbox"/> Individual <input type="checkbox"/> Corporation <input type="checkbox"/> LLC <input type="checkbox"/> Partnership <input type="checkbox"/> Other _____		
Statutory Agent (if applicable)			
SECTION II. MAILING ADDRESS (if different than physical address)			
Mailing Name (Designated Agent)			
Street Address or PO Box			
City, State, Zip			
SECTION III. PROPOSED LOCATION INFORMATION			
Name of Eating and Drinking Establishment			
Establishment Physical Address			
Representative/Owner Name			Establishment Business Phone Number
SECTION IV. IF APPLICANT IS A BUSINESS ENTITY LIST ALL PERSONS PARTICIPATING IN MANAGEMENT, CONTROL OR POLICY DIRECTION OF THE APPLICANT, AND/OR CORPORATE OFFICERS, DIRECTORS, STOCKHOLDERS WITH 20% OR MORE STOCK OWNERSHIP			
Title/Position	Name		% Owned
SECTION V. INITIAL APPLICANT'S INFORMATION			
Applicant's Name	Last	First	M.
Home Address			Home Phone Number
City, State, Zip			Date of Birth (month, day, year)

Have you ever been convicted of a felony in a court of competent jurisdiction within the last 5 years? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please explain.			
Date	Offense	Location of Conviction	Penalty Assessed
Have you ever had any judicial rulings, administrative findings of violations of any law or regulation relating to racing, wagering or gaming, in any jurisdiction filed against you? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please explain.			
Have you ever had any license(s) or permit(s) relating to pari-mutuel betting or teletracking activities revoked or suspended? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please explain.			
Date	License Type	State	Outcome
SECTION VI SIGNATURE AND CERTIFICATION			
<u>IMPORTANT</u>			
I hereby attest that I have verified that no person not qualified to manage, control or direct policy of an off track betting establishment will participate in the management, control or policy direction of this applicant.			
I hereby certify that all answers and information on this application are true and correct. Any false, misleading, or incomplete information constitutes grounds for denial of this license.			
Print Name	Signature		Date

July 2012

